

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 6348

PERMIT 3558

LICENSE 4937

ORDER ALLOWING CHANGE IN POINT OF DIVERSION  
AND CHANGE IN PLACE OF USE

Licensee having established to the satisfaction of the State Water Rights Board that the change in point of diversion and change in place of use under Application 6348, Permit 3558, License 4937, for which petitions were submitted on December 30, 1959, will not operate to the injury of any legal user of water, the Board so finds, and

IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said Application 6348, Permit 3558, License 4937, to points of diversion described as follows, to wit:

- (1) NORTH TWELVE DEGREES FORTY MINUTES EAST ( $N12^{\circ} 40'E$ ) TWO THOUSAND ONE HUNDRED FORTY (2140) FEET FROM  $S\frac{1}{4}$  CORNER OF SECTION 3, T12N, R3E, MDB&M, BEING WITHIN  $NW\frac{1}{4}$  OF  $SE\frac{1}{4}$  OF SAID SECTION 3.
- (2) NORTH TWO THOUSAND SEVEN HUNDRED TEN (2710) FEET AND EAST FOUR THOUSAND THREE HUNDRED EIGHTY (4380) FEET FROM SW CORNER OF SECTION 10, T12N, R3E, MDB&M, BEING WITHIN  $SE\frac{1}{4}$  OF  $NE\frac{1}{4}$  OF SAID SECTION 10.

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the place of use under said Application 6348, Permit 3558, License 4937, to a place of use described as follows, to wit:

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

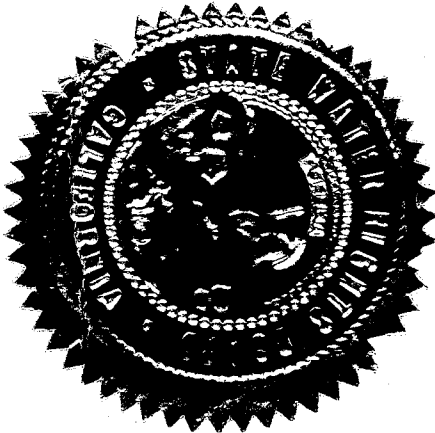
APPLICATION 6348

PERMIT 3558

LICENSE 4937

114.87 ACRES WITHIN SECTION 3, T12N, R3E, MDB&M  
1.03 ACRES WITHIN SECTION 4, T12N, R3E, MDB&M  
423.12 ACRES WITHIN SECTION 10, T12N, R3E, MDB&M  
50.95 ACRES WITHIN SECTION 9, T12N, R3E, MDB&M  
589.97 ACRES TOTAL - AS SHOWN ON MAP FILED WITH STATE WATER  
RIGHTS BOARD ON NOVEMBER 16, 1959.

WITNESS my hand and the seal of the State Water Rights Board of the  
State of California this 23<sup>rd</sup> day of May, 1960



*L. K. Hill*  
L. K. Hill  
Executive Officer



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 6348 PERMIT 3558 : LICENSE 4937

THIS IS TO CERTIFY, That

R. E. Hughes Notice of Assignment (Over)  
P.O. Box 235  
Woodland, California

has made proof as of June 13, 1955

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
East Dredge Cut of Sutter By-pass in Sutter County  
tributary to Sacramento River

for the purpose of irrigation use  
under Permit 3558 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from June 26, 1929;  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed twelve and eighty-two hundredths  
(12.82) cubic feet per second to be diverted from about April 1 to about October 1 of  
each year.

The equivalent of such continuous flow allowance for any thirty-day period  
may be diverted in a shorter time if there be no interference with other vested  
rights.

The point of diversion of such water is located north twelve degrees forty minutes east  
(N12°40'E) two thousand one hundred forty (2140) feet from the S $\frac{1}{4}$  corner of Section  
3, T12N, R3E, MDB&M, being within NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section 3.

A description of the lands or the place where such water is put to beneficial use is as follows: Six hundred (600)  
acres being within Sections 3, 4, 10 and 15, T12N, R3E, MDB&M, as shown on map filed  
with State Water Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

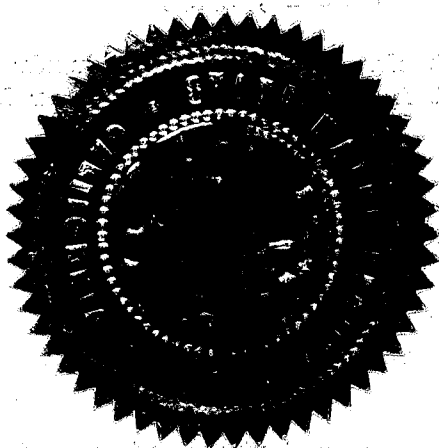
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: DEC 31 1957

STATE WATER RIGHTS BOARD



By *Leslie C. Jopson*  
LESLIE C. JOPSON  
Chief Engineer

7-7-61 RECEIVED NOTICE OF ASSIGNMENT TO *Agrivest Co.*  
4-8-96 assigned to Agrivest Corporation, Yeal  
family trust and Elysian Farms, Inc.

7/16/97 assigned to Montana  
Family Trust

11/21/97 Asgd. to Alfred G. Montana and Gail E. Montana;

LICENSE 4937  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO R. E. Hughes

DATED DEC 31 1957

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